

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

RYAN KERWIN, }
Plaintiff, }
v. } Civil Action No. 08-179 Erie
RICHARD HALL, et al., }
Defendants. }

MEMORANDUM ORDER

This civil rights action was received by the Clerk of Court on June 20, 2008, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's oral Report and Recommendation entered on the record on July 10, 2008 [Doc. No. 7], recommended that Plaintiff's motion for temporary restraining order [Doc. No. 2] be denied. The parties were allowed ten (10) days from the date of service to file objections. Objections were filed by Plaintiff on July 16, 2008 [Doc. No. 8]. After de novo review of the motion and documents in the case, as well as the transcript of the hearing on Plaintiff's motion for temporary restraining order, and together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 18th day of September, 2008;

IT IS HEREBY ORDERED that Plaintiff's motion for temporary restraining order [Doc. No. 2] is DENIED.

The oral Report and Recommendation [Doc. No. 7] of Magistrate Judge Baxter, entered on the record on July 10, 2008, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge